

R E M A R K S

Status of the claims

Claims 1-2, 4-6 and 12-15 are pending in the present application and have been indicated as being allowed by the Examiner. Claims 3, 7-11 and 16-62 have been cancelled. No new matter has been added by way of the above amendments.

Issues under 35 USC § 102

Claims 31-43 and 59-62 have been rejected under 35 U.S.C. §102(e) as being anticipated by Ohshima '962 or Ohshima '334.

Claims 31-43 and 59-62 have been further rejected under 35 U.S.C. §102(b) as being anticipated by Yoshida '640.

Claims 31-43 and 59-62 have been cancelled thus rendering these rejections moot.

With the above amendments all rejected and withdrawn claims have been cancelled. As such, the pending application is in condition for allowance and issuance of the Notice of Allowability is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, Ph.D. Reg. No. 40,069 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: **MAY 27 2009**

Respectfully submitted,

By 
MaryAnne Armstrong
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant